

EXHIBIT 3

NOV 20 2019

Order of Protection

Per ORC 2903.214(F)(3), this Order is indexed at

The Hamilton County Sheriff's Office,
Central Warrant Unit

LAW ENFORCEMENT AGENCY WHERE INDEXED

(513) 946-6200
PHONE NUMBER**PETITIONER**

STEPHANIE MALOF

FIRST MIDDLE LAST

v. RESPONDENT

BRYAN KANU

FIRST MIDDLE LAST

Relationship to Petitioner: Former Friend

Address where Respondent can be found:

Case No. SK1700816

Judge: TOM HEEKIN

County

HAMILTON

State

OHIO

COSTS☒ CIVIL STALKING PROTECTION ORDER FULL HEARING (R.C. 2903.214)☐ CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER FULL HEARING
(R.C. 2903.214)**PERSON(S) PROTECTED BY THIS ORDER**

Petitioner: Stephanie Malof DOB: 10/31/1988

Petitioner's Family or Household Member(s):

☐ Additional forms attached)

DOB: _____

DOB: _____

DOB: _____

DOB: _____

RESPONDENT IDENTIFIERS

SEX	RACE	HT	WT
Male	Black	6'03"	185
EYES	HAIR	DATE OF BIRTH	
Brown	Brown	10/14/1988	
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Distinguishing features : _____

☐ WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

(Violence Against Women Act 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this Order is not required for enforcement.)

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent will be provided with reasonable notice and opportunity to be heard within the time required by Ohio law. Additional findings of this Order are set forth below.

THE COURT HEREBY ORDERS:

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order, as set forth below. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until June 28, 2022

(DATE CERTAIN - 5 YEARS MAXIMUM)

WARNING TO RESPONDENT: See the warning page attached to the front of this Order.



D127255069

This proceeding came on for hearing on November 14, 2019 before the Court and the Civil Stalking or Sexually Oriented Offense Protection Order *Ex Parte* filed on June 29, 2017, all in accordance with R.C. 2903.214.

The following individuals were present:

Stephanie Malof, Bryan Kanu, Officer Todd Ploehs

The Court/Magistrate hereby makes the following findings of fact:

Mr. Kanu made repeated contact with Ms. Malof after she told him to leave her alone. He had contact with Ms. Malof after Sgt. Todd Ploehs told Mr. Kanu to leave Ms. Malof alone. Mr. Kanu appeared at Ms. Malof's home uninvited.

☒ The Court finds by a preponderance of the evidence that 1) the Respondent has knowingly engaged in a pattern of conduct that caused Petitioner to believe that the Respondent will cause physical harm or cause or has caused mental distress; and 2) the following orders are equitable, fair, and necessary to protect the persons named in this Order from stalking offenses.

☐ The Court finds by a preponderance of the evidence that 1) the Petitioner or Petitioner's family or household members are in danger of or have been a victim of a sexually oriented offense as defined in R.C. 2950.01, committed by Respondent; and 2) the following orders are equitable, fair, and necessary to protect the persons named in this Order from the sexually oriented offenses.

☐ The Court finds by clear and convincing evidence that 1) the Petitioner or Petitioner's family or household member reasonably believed the Respondent's conduct before the filing of the Petition endangered the health, welfare, or safety of the Petitioner or Petitioner's family or household member; 2) the Respondent members; and 3) the following orders are equitable, fair and necessary to protect the persons experiencing a continuing danger to the Petitioner or Petitioner's family or household members named in this Order.

RESPONDENT SHALL NOT ABUSE harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order.

[NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

☒ 1. **RESPONDENT SHALL NOT ENTER** the residence, school, business, place of employment, daycare centers or childcare providers of the protected persons named in this Order, including the buildings, grounds and parking lots at those locations. Respondent may not violate this Order even with the permission of a protected person. [NCIC 04]

☒ 2. **RESPONDENT SHALL NOT INTERFERE** with protected persons' right to occupy the residence including, but not limited to canceling utilities, insurance, interrupting phone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]

☒ 3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the following residence

at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

☒ 4. **RESPONDENT SHALL STAY AWAY** PETITIONER and all other protected persons named in this Order, and shall not be present within 500 feet or _____ (distance) of any protected persons, wherever those protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, even with protected persons' permission. If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04] ☐ SEE BOX 9 BELOW.

☒ 5. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in the Order.

☒ 6. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT with the protected persons named in this Order or their residences, businesses, places of employment, schools, daycare centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social networking media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order even with the permission of a protected person. [NCIC 05]

☒ 7. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON to do any act prohibited by this Order.

8. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C 925(a)(1). [NCIC 07]

☐ RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEAL CARRY WEAPON LICENSE in Respondent's possession to the law enforcement agency that serves Respondent with this order as follows:

Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, including firearms and ammunition, held in the protective custody by law enforcement pursuant to this Order shall be disposed of as unclaimed property pursuant to R.C. 2981.12 unless the respondent files a motion for return with this Court within 30 days before the expiration of this Order.

☐ 9. IT IS FURTHER ORDERED: [NCIC 08]

☐ 10. RESPONDENT IS ORDERED TO COMPLETE the following counseling program:

Respondent shall contact this program within _____ days after receiving this Order and immediately arrange for an initial appointment. The counseling program is requested to provide the Court a written notice when Respondent attends the initial appointment, if the Respondent fails to attend or is discharged, and when Respondent completes the program. Respondent is required to sign all necessary waivers to allow the court to receive information from the counseling program.

☐ Respondent is ordered to appear before Judge or Magistrate _____
On ____/____/____ at _____ ☐ a.m. ☐ p.m. to review Respondent's compliance with this counseling order.
Respondent is warned: If you fail to attend the counseling program you may be held in contempt of court.
If you fail to appear at this hearing, the court may issue a warrant for your arrest.

☐ 11. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

☐ 12. RESPONDENT SHALL BE SUBJECT TO ELECTRONIC MONITORING. Respondent is ordered to report to _____ for the placement of a global positioning system for the purpose of electronic monitoring for the duration of this Order or until ____/____/____, whichever expires first. The Court further imposed the following terms and conditions: _____

13. IT IS FURTHER ORDERED that the Clerk of Court shall cause a copy of the Petition and this Order to be delivered to the Respondent as required by Civ.R. 65.1. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. No costs or fees shall be assessed against the Petitioner for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this Order.

14. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE. OR UNTIL June 28, 2022.

15. IF FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order. Accordingly, the Court adopts the magistrate's granting of this Order.

IT IS SO ORDERED

Amie Berding
MAGISTRATE

APPROVED AND ADOPTED BY

JUDGE

NOTICE TO RESPONDENT: THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. IF THERE IS ANY REASON WHY THIS ORDER SHOULD BE CHANGED, YOU MUST ASK THE COURT TO CHANGE IT. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

TO THE CLERK: <u>COPIES OF THIS ORDER SHALL BE DELIVERED TO:</u>			
<input checked="" type="checkbox"/>	Petitioner on	by	
	<input type="checkbox"/> Personal <input type="checkbox"/> Certified Mail	<input checked="" type="checkbox"/> Regular Mail	
<input type="checkbox"/>	Attorney for Petitioner	by	
	<input type="checkbox"/> Personal <input type="checkbox"/> Certified Mail	<input type="checkbox"/> Regular Mail	
<input checked="" type="checkbox"/>	Respondent on	by	
	<input type="checkbox"/> Personal <input type="checkbox"/> Certified Mail	<input checked="" type="checkbox"/> Regular Mail	
<input type="checkbox"/>	Attorney for Respondent	by	
	<input type="checkbox"/> Personal <input type="checkbox"/> Certified Mail	<input type="checkbox"/> Regular Mail	
<input checked="" type="checkbox"/>	Central Warrants (The Protection Order Depository for All Local Law Enforcement Agencies.)		
<input checked="" type="checkbox"/>	The Hamilton County Sheriff's Office		
<input checked="" type="checkbox"/>	Police Dept. where Petitioner Resides:		
<input checked="" type="checkbox"/>	Police Dept. where Petitioner Works:		
<input type="checkbox"/>	Other		
<input type="checkbox"/>	Other		

WAIVER

I, _____, understand that I have the right to a full hearing on the Petition for Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order, and acknowledge each of the following:

1. I waive the right to have a full hearing on this Protection order;
2. I waive the right to cross-examine witnesses and review evidence submitted in support of this Protection Order;
3. I waive the right to present witnesses and evidence on my own behalf;
4. I waive the right to request specific factual findings from the Court concerning the issuance of this Protection Order.

I understand that based on the foregoing waivers a Protection Order will be entered against me.

RESPONDENT: _____

DATE: _____